

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
CINCINNATI DIVISION

HUNTER DOSTER, *et al.*,

Plaintiffs,

v.

FRANK KENDALL, *et al.*,

Defendants.

No. 1:22-cv-00084
Hon. Matthew W. McFarland

**DEFENDANTS' NOTICE TO THE COURT REGARDING CLASS MEMBERS WHO
HAVE OPTED OUT OF THE CLASS**

Defendants submit this notice in response to the Court's order that "Excluded from this definition shall be any person within the above class who: (i) opts out, by delivering notice to the Government and Class Counsel in writing of their election to opt out, by electronic mail addresses *to be filed with Court.*" Order, ECF No. 77, PgID #4540 (emphasis added). Pursuant to that instruction, Defendants respond that to date they have received opt-out requests from the following individuals:

- Logan G. Lewis
- Brittini S. Fleming
- Douglas J. Iverson
- Milos Tasic
- Jonathan E. Baker
- Jordan H. St. John
- Paul J. Rodriguez
- Noah G. Hendrickson
- Sawyer C. O. Lynn

- Gavin M. Anderson
- Paige L. Roberts
- Auston M. Sears
- Jacob L. Reinhart
- Felix C. Burgoyne
- Brian M. Saunders
- Loren M. Bowling
- Erica K. Sims
- Caleb S. Barnum
- Luke P. Lineberger
- Jacob T. Gantt
- Colton M. Bosik

Defendants have saved the opt-out requests from these individuals in their records, and will not consider these individuals as covered by this Court's class-wide injunction.

Dated: August 8, 2022

Respectfully submitted,

BRIAN M. BOYNTON
Principal Deputy Assistant Attorney General
Civil Division

ALEXANDER K. HAAS
Director, Federal Programs Branch

ANTHONY J. COPPOLINO
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/s/ Zachary A. Avallone
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Attorneys for Defendants

CERTIFICATE OF SERVICE

On August 8, 2021, I electronically submitted the foregoing document using the Court's electronic case filing system. I hereby certify that I have served all parties electronically or by another manner authorized by Federal Rule of Civil Procedure 5(b)(2).

/s/ Zachary A. Avallone

Zachary A. Avallone

Trial Attorney

U.S. Department of Justice